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## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION IX

75 Hawthorne Street San Francisco, CA 94105

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**DEC 0 8** 2003

Melanie Smith Alcoa Global Fasteners, Inc. for T.R.E./Weslock Co. c/o Alcoa Inc. 201 Isabella Street Pittsburgh, PA 15212-5858

> RE: <u>General Notice Letter</u> Omega Superfund Site

Dear Melanie Smith:

The purpose of this letter is to provide you notice of your potential liability under the Comprehensive Environmental Response Compensation Liability Act (CERCLA), as amended, at the Omega Chemical Superfund Site (the "Site").

The Site is a former refrigerant/solvent recycling operation in Whittier, California. During a Site Assessment in 1995, EPA observed in excess of 3,000 drums at the Site in various stages of deterioration. Data gathered in 1988 and 1995 also indicated the presence of hazardous substances including but not limited to methylene chloride, tetrachloroethylene, trichloroethylene, and Freon 11 and 113, in the subsurface soils and groundwater at the Site. On May 3, 1995, EPA issued an Action Memorandum authorizing actions necessary to abate imminent and substantial endangerments at the Site, including securing the site, conducting sampling, removing grossly contaminated equipment, structures, and debris, removing containerized wastes and disposing, stabilizing or treating grossly contaminated soils.

On May 9, 1995 and August 31, 1995, EPA issued Unilateral Administrative Orders ("UAO") to approximately 170 major generator potentially responsible parties (PRPs), all of whom sent greater than 10 tons of hazardous materials to the Site, to perform removal activities at the Site. These major contributing parties thereafter formed a workgroup called the Omega Chemical Site PRP Organized Group or "OPOG" and completed removal activities as required. In September 1998, EPA proposed the Site for listing on the National Priorities List ("NPL"). The Site was placed on the NPL on January 19, 1999.

Currently, the 109 members within OPOG are performing work under a Partial Consent Decree which was entered by the District Court on February 28, 2001. Under this agreement, the Settling Defendants agreed to pay a portion of past costs and perform the following work at the Site:

- 1) implementation of a Remedial Investigation / Feasibility Study ("RI/FS") for contamination in the vadose zone within the "Phase 1A area" of the Site;
- 2) performance of an Engineering Evaluation and Cost Analysis ("EE/CA") addressing groundwater contamination in the Phase 1A area;

- 3) implementation of the response action selected in EPA's Action Memorandum at the conclusion of the EE/CA;
- 4) performance of a risk assessment within the Phase 1A area; and
- 5) installation of up to three groundwater monitoring wells at locations downgradient of the Phase 1A area and upgradient of the City of Santa Fe Springs water supply well.

In addition, EPA has been conducting a Fund-lead groundwater RI downgradient of the "Phase 1A" area. In the future, EPA anticipates combining the Fund-lead groundwater RI and the PRP-lead groundwater EE/CA into one FS. At the conclusion of the FS, a Sitewide remedy would be proposed and selected.

Based upon generator manifest information, EPA is notifying you that you are a potentially responsible party at the Omega Site. EPA has reviewed the State of California's manifest database information and determined that you contributed more than 10 tons of waste to the Site and thus fall into the major contributors' group. Although you were not identified during earlier reviews of the generator manifests for Omega, your potential liability at the Site is equivalent to those parties which received notice in 1995 and have been performing work to date, and you may be liable for past and future costs incurred to clean up the Site. A complete list of recipients sent similar General Notice letters is attached as Attachment A. A summary of the manifest(s) attributed to you is provided as Attachment B. Copies of the manifests attributed to you are included as Attachment C.

If, upon your review of this information, you conclude that the volume attributed to you is incorrect, please notify the EPA in writing, providing documents substantiating that claim within forty-five (45) calendar days of your receipt of this letter. This correspondence should be addressed to:

Linda Ketellapper U.S. Environmental Protection Agency Superfund Division 75 Hawthorne Street, SFD-7-B San Francisco, CA 94105

Under CERCLA Section 107(a)(3), any person who arranged for the disposal of hazardous substances at a facility from which there is a release, or threatened release of a hazardous substance, shall be liable for costs incurred by EPA to respond to such releases. 42 U.S.C.A. § 9607(a)(3). Furthermore, EPA may unilaterally issue such orders as may be necessary to protect public health and welfare and the environment under CERCLA Section 106(a), including, but not limited to, orders to perform response actions at the Site. 42 U.S.C.A § 9606(a). EPA is not issuing you an Order at this time, but is advising you of your potential liability at this site. EPA encourages you to initiate dialog with OPOG concerning joining the established workgroup. The Agency is willing to amend the existing Partial Consent Decree to include any parties which join the established group.

Also enclosed for your information is an information sheet intended to inform small businesses of their rights under the Small Business Regulatory Enforcement Fairness Act (SBREFA)to comment to an Ombudsman about EPA enforcement activity. This information

sheet also provides information on compliance assistance available to small businesses. We have included this information sheet without making a determination whether your business is a small business as defined by Section 222 of SBREFA or related provisions.

If you have any technical questions regarding the Site, you may contact Chris Lichens, the Remedial Project Manager, at 415-972-3149. If you have any legal questions, you may contact Thanne Cox, the Assistant Regional Counsel, at 415-972-3908.

Sincerely,

Elizabeth Adams, Chief Site Cleanup Branch

cc: Thanne Cox, EPA ORC
Chris Lichens, EPA RPM
Linda Ketellapper, EPA
Loren Henning, EPA
Karl Fingerhood, DOJ EES

Attachment B

Manifest Summary

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generator_name	T.R.E./WESLOCK CO
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<pre>ic_calc_volume:</pre>	24.0818 tons
manifest_number	manifest_quantity_ton
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83494148	2.919 tons
84467172	11.4675 tons
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Attachment C

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TO: P.O. Box 3000, Sacramento, CA 9581?

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